

EXHIBIT 4

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-1178

September Term 2008

EPA-73FR12156

Filed On: February 25, 2009 [1167136]

State of California, by and through Arnold
Schwarzenegger, Governor of the State of
California, the California Air Resources
Board, and Edmund G. Brown Jr., Attorney
General of the State of California,

Petitioner

v.

Environmental Protection Agency,

Respondent

South Coast Air Quality Management
District, et al.,
Intervenors

Consolidated with 08-1179, 08-1180

ORDER

Upon consideration of respondent's motion to hold cases in abeyance, and the response thereto, it is

ORDERED that the motion be granted, and these cases are hereby held in abeyance pending further order of the court.

The Environmental Protection Agency is directed to file status reports at 60-day intervals beginning April 27, 2009. The parties are directed to file motions to govern future proceedings in these cases within 30 days of the completion of the agency proceedings on reconsideration

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Mark A. Butler
Deputy Clerk